



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Baker et al. Docket No: 39780-2830P1C47  
Serial No: 10/015,671 Group Art Unit: 1647  
Filed: December 11, 2001 Examiner: Rachel B. Kapust  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF WILLIAM WOOD, Ph.D. UNDER 37 CFR 1.131**

I, William Wood, Ph.D. do hereby declare and say as follows:

1. I am Director and Staff Scientist at the Department of Bioinformatics, of Genentech, Inc., South San Francisco, CA 94080.
2. I am one of the inventors of the above-identified application.
3. I have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).
4. I, along with other inventors of this application, conceived and reduced to practice the polypeptide designated as PRO1244 (SEQ ID NO:130) claimed in the above-identified application in the United States prior to August 14, 1998.
5. At the time the PRO1244 polypeptide was cloned and sequenced I was responsible for overseeing the cloning of cDNAs which encoded novel polypeptides, including the cDNA that encoded PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.
6. A cDNA clone, referred to as DNA64883-1526 in the above-identified application, was identified as encoding the PRO1244 polypeptide.
7. The full length of the cDNA clone is shown in Figure 73 of the above-identified application. The full-length cDNA sequence has 2213 nucleotide residues. The full

length of the PRO1244 peptide encoded by DNA64883-1526 is shown in Figure 74 of the above-identified application. The full-length PRO1244 polypeptide has 335 amino acid residues.

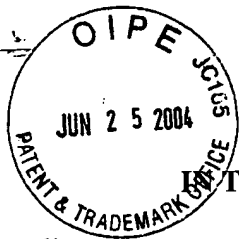
8. Copies of the pages from the GSeqEdit database which report the cloning and sequencing data for the PRO1244 polypeptide sequence and its encoding nucleic acid sequence are attached to this declaration (with the dates redacted) as Exhibit A.
9. The GSeqEdit report shows the full-length nucleic acid sequence for DNA-64883-1526 (identified as "DNA-64883") and the full-length PRO1244 polypeptide encoded by DNA 64883. Both the DNA-64883 and the PRO1244 polypeptide sequences were obtained prior to August 14, 1998.
10. The DNA-64883 sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 129 disclosed in the above-identified application.
11. The beginning of the cDNA sequence corresponding to SEQ ID NO: 129 in the above-identified application is shown on page 1 of the GSeqEdit database report and the location of the first nucleotide is marked with "^insert starts here" and an arrow. The location of the last nucleotide corresponding to SEQ ID NO: 129 is shown on page 11 and is marked with an arrow.
12. The amino acid sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 130 disclosed in the above-identified application.
13. The first 26 amino acid residues of the PRO1244 polypeptide (SEQ ID NO:130) encoded by the cDNA (DNA-64883) are also shown on page 1 of the GSeqEdit report and the remaining 309 residues appear on pages 2-6 of the report.
14. Exhibit A clearly shows that both the full-length DNA-64883 sequence and the full-length PRO1244 polypeptide sequence disclosed in the above-identified application were obtained prior to August 14, 1998.
15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

William Wood  
William Wood

6/11/04  
Date

SV 2037583 v1  
6/9/04 1:21 PM (39780.2830)



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Baker et al. Docket No: 39780-2830P1C47  
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Filed: December 11, 2001 Examiner: Rachel B. Kapust  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF AUDREY GODDARD, Ph.D. UNDER 37 CFR 1.131**


I, Audrey Goddard, Ph.D. do hereby declare and say as follows:

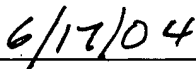
1. I am Senior Clinical Scientist at the Diagnostics, Development Sciences Department of Genentech, Inc., South San Francisco, CA 94080.
2. I am one of the inventors of the above-identified application.
3. I have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).
4. I, along with other inventors of this application, conceived and reduced to practice the polypeptide designated as PRO1244 (SEQ ID NO:130) claimed in the above-identified application in the United States prior to August 14, 1998.
5. At the time the PRO1244 polypeptide was cloned and sequenced I was responsible for overseeing the sequencing of novel polypeptides, including the PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.
6. A cDNA clone, referred to as DNA64883-1526 in the above-identified application, was identified as encoding the PRO1244 polypeptide.
7. The full length of the cDNA clone is shown in Figure 73 of the above-identified application. The full-length cDNA sequence has 2213 nucleotide residues. The full length of the PRO1244 peptide encoded by DNA64883-1526 is shown in Figure 74 of

the above-identified application. The full-length PRO1244 polypeptide has 335 amino acid residues.

8. Copies of the pages from the GSeqEdit database which report the cloning and sequencing data for the PRO1244 polypeptide sequence and its encoding nucleic acid sequence are attached to this declaration (with the dates redacted) as Exhibit A.
9. The GSeqEdit report shows the full-length nucleic acid sequence for DNA-64883-1526 (identified as "DNA-64883") and the full-length PRO1244 polypeptide encoded by DNA 64883. Both the DNA-64883 and the PRO1244 polypeptide sequences were obtained prior to August 14, 1998.
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14. Exhibit A clearly shows that both the full-length DNA-64883 sequence and the full-length PRO1244 polypeptide sequence disclosed in the above-identified application were obtained prior to August 14, 1998.
15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Audrey Goddard

  
\_\_\_\_\_  
Date

SV 2037583 v1  
6/15/04 3:03 PM (39780.2830)



**Exhibit A**  
**to Declarations of Audrey Goddard and William Wood under 37 CFR 1.131**  
**GSeqEdit Database Report**



>[REDACTED]  
>DNA64883 [Full]  
>510 Sites [All Sites]  
>[REDACTED] DNA64883 wiw GSeqEdit  
>[REDACTED] DNA64883 zemin GSeqEdit  
>[REDACTED] DNA64883 goddarda GSeqEdit  
>[REDACTED] DNA64883 sheldens GSeqEdit  
>HBN64883.seq, sequenced at ABI/ACGT by Peter Ma and Ellison Chen  
>human ortholog of implantation-associated protein - Rattus

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                                nlaIII
                                mslI
                                styI
                                ncoI
                                dsaI
                                tseI
                                btgI/bstDSI
                                bstXI
                                bsaJI
                                hinPI
                                hhaI/cfoI
                                haeII
                                hpy99I
                                mnlI
                                dde
                                bsp
                                maeII/hpyC

                                tsp45I
                                bsmAI
                                maeIII
                                bsmAI
                                maeIII
                                TGTCTCTGTG
                                ACCATGGTGG
                                TGGCGCTGCT
                                CATCGTTGC
                                GACGTTCCCT
                                1 CGGAATTCGG
                                CTCGAGGAGC
                                GAACATGGCA
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                                GGTTTTGGTG
                                GGTTCCTGTC
                                TGGCGCTGCT
                                CATCGTTGC
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                                GCCTTAAGCC
                                GAGCTCCTCG
                                CTGTACCGT
                                CGCGCAACCG
                                CCAAACCCAC
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                                TGGTACCACC
                                ACCGCGACGA
                                GTAGCAAACG
                                CTGCAAGGGA
                                1
                                M A A R W R F W C V S V T M V V A L L I V C D V P S
                                ^insert starts here
                                ^MET
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mnII	alwNI[dcn-]	alwI		
	alw26I/bsmAI	pvuII		
	bsaXI	mspAI/nspBII		bsmAI
101	CAGCCTCTGC CCAAAGAAAG AAGGAGATGG TGTATCTGA AAAGTTAGT CAGCTGATGG AATGGACTAA CAAAAGACCT GTAATAAGAA TGAATGGAGA			
	GTCGGAGACG GGTTCCTTTC TTCCTCTACC ACAATAGACT TTCCAATCA GTCGACTACC TTACCTGATT GTTTCTGGA CATTATTCTT ACTTACCTCT			
27	A S A Q R K K E M V L S E K V S Q L M E W T N K R P V I R M N G D			
		tspRI	bst4CI/hpyCH4III	cac8I
		btsI	ahdI/eam1105I	cac8I
	hpy99I	nlaIII	hpyCH4V tspRI	hpyCH4V al
201	CAAGTTCCGT CGCCTTGTGA AAGCCCCACC GAGAAATTAC TCCGTTATCG TCATGTTTAC TGCTCTCCAA CTGCATAGAC AGTGTGTCGT TTGCAAGCAA			
	GTCAAGGCA GCGGAACACT TTCGGGGGTGG CTCCTTAATG AGGCAATAGC AGTACAAGTG ACGAGAGGTT GACGTATCTG TCACACAGCA AACGTTTCGTT			
60	K F R R L V K A P P R N Y S V I V M F T A L Q L H R Q C V V C K Q			

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mvaI
ecoRII[dcn-]
dsaV[dcn-]
bstNI
bssKI[dcn-]
apyI[dcn+]
sau3AI
mboI/ndeII[dam-]
dpsII[dam-]
dpsI[dam+]
alwI[dam-]
bstYI/xhoII
alwNI[dcn-]
alw26I/bsmAI
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ecoRI pflMI[dcn-]
apoI bslI[dcn-]
mboII hpy188III
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CGACTACTTC TTAAGGTCTA GGACCGTTTG AGGACCGCTA TGAGGTCACG TAACTGGTTG TCCTATAAAA AACGGTACCA CCTAAACTA CTTCCGAGAC
93 A D E E F Q I L A N S W R Y S S A F T N R I F F A M V D F D E G S D

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ecoRII[dcn-]
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bstNI
bssKI[dcn-]
apyI[dcn+]
sau3AI
mboI/ndeII[dam-]
dpsII[dam-]
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alw26I/bsmAI
tsp509I[M.ecoRI-]
ecoRI pflMI[dcn-]
apoI bslI[dcn-]
mboII hpy188III
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CGACTACTTC TTAAGGTCTA GGACCGTTTG AGGACCGCTA TGAGGTCACG TAACTGGTTG TCCTATAAAA AACGGTACCA CCTAAACTA CTTCCGAGAC
93 A D E E F Q I L A N S W R Y S S A F T N R I F F A M V D F D E G S D

nlalIII
styI
ncol
dsaI
btgi/bstDSI
bsaJI
hpy18

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 sau96I  
 nlaIV  
 avall  
 tru9I ppuMI  
 aluI hpy188I mseI eco0109I/draII  
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 TACCGATGGG TATGTCGAAA GACTACTCAA TTTTTCAGG GTCTCTATAT ATCTGTGACC TCATGACCTT TAACTTTTGG CTTTTAGCAC ACACAAACTT  
 327 G Y P Y S F L M S O

bsmI  
 mboII hpyCH4V  
 1101 AAGAAGAATG CAACCTGTAT ATTTGTGATT ACCTCTTTT TTCAAGTGAT TTAATAGTT AATCATTTAA CCAGAAGAAG TGTGTAGTGC CTTAACAAGC  
 TTCTTCTTAC GTTGAACATA TAAACATAA TGGAGAAAAA AAGTTCACATA AATTATCAA TTAGTAAAT GGTTCCTTCT ACACATCAGG GAATTGTTCG

mnlI  
 ddeI  
 bspCNI  
 hpy188I  
 1201 AATCCTCTGT CAAAATCTGA GGTATTGAA AATAATTATC CTCTTAACCT TCTCTTCCCA GTGAACTTTA TGGAACATTT AATTAGTAC AATTAGTAT  
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psiI tsp509I  
 1301 ATTATAAAAA TTGTAAAACT ACTACTTTGT TTAGTTAGA ACAAGCTCA AAACACTTTT AGTTAACTTG GTCATCTGAT TTTATATGCT CTTATCCAAA  
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ecorII[dcn-]
dsaV[dcn-]
bstNI
bssKI[dcn-]
apyI[dcn+]
sexAI
hpy188III
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xmnI
ecorI mboII
asp700 aluI mslI foki
apoI ddeI[M.aluI-] bstF5I

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tail
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hpy188I maeII/hpyCH4IV
bsiHKAI rnaI ddeI
eco57I aflIII maeI bspC
mboII bmyI btrI bfaI mnlI
hpaI
hpy188I
mboII
bpuAI
nlaIII bbsI
tsp509I
sfaiI
1501 GTATACCTTA CGCATCTTTC CTTTGTAGTA GAGAAATAT GTGTGTATG TGGTCTTCTG AAAATGGAAC ACCATTCTTC AGAGCACACG TCTAGCCCTC
CATATGAAAT GCGTAGAAG GAAAACTCAT CTCTTTAATA CACACAGTAC ACCAGAAGAC TTTTACCTTG TGGTAAGAAG TCTCGTGTGC AGATCGGGAG

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[illegible]

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ecoRII[dcM-]
dsaV[dcM-]
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mscI/balI[dcM-]
eaeI[dcM-]
cfrI
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pspGI
mvaI bssKI[dcM-]
ecoRII[dcM-] tsp45I
dsaV[dcM-] maeIII
bstNI hinPI
bssKI[dcM-] tspRI
pleI bsII[dcM-] hhaI/cfoI
mlyI bsaJI apyI[dcM+]
hinFI apyI[dcM+] btsI
dclI bspCNI
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TTCTCTTTT ATCCGAGTCA ATCTTTTCTT GAGGGACCGG TCCGGCGTCAC TGAATGCGGA CATTAGAGTC GTGAAACCCCT CCGGTTCCGT CCGTCTAGTG
dclI bspCNI
styI cac8I
haeIII/palI
mnlI bsaJI
dclI bspCNI
mboI/nd
dclI bspCNI
bssS
hpy18
sau3AI

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msci/bali[dcn-]
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dsaV[dcn-]
bstNI
bsmAI bssKI[dcn-]
taqI foki cfrI nlaIII bsmAI
hpy188III bsaI bstF5I haeIII/palI esp3I aluI
nli hpy188III apyI[dcn+] hphI bsmBI tsp509I nlaIV
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pspGI
mvaI
ecorII[dcn-]
dsaV[dcn-]
bstNI
tsprI
sau3AI btsI
mboI/ndeII[dam-]
dpmII[dam-] hpyCH4V apyI[dcn+]
dpmI[dam+] bsgI bpmI/gsuI[dcn-]
2101 CAGCTACACA GGAGGCTGAG GCAGGAGAAT CACTTGAAT CAGGAGATGG AGGTTTCAGT GAGCCGAGAT CACGCCACTG CACTCCAGCC TGGCAACAGA
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